

Message

From: Bradfish, Larry [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=CC7D6886AC1D46B19137244A517F457F-LBRADFIS]
Sent: 12/4/2017 8:15:21 PM
To: Alasti, Isabella@DTSC [Isabella.Alasti@dtsc.ca.gov]
Subject: RE: Aerojet -- Settlement agreements with United States

Here's what I think Aerojet is asking for:

"Area 40 - Remedy Selection and Confirmation that the Area, as remediated, is suitable for use as a Park. The Hillsborough Purchase and Sale Agreement requires sufficient regulatory approvals by September 1, 2018, to use that land as a park. To avoid any dispute as to what approvals are necessary, AR seeks remedy selection decision by June 2018. While AR appreciates that EPA cannot guarantee a schedule, AR seeks EPA confirmation by letter of its commitment to:

- provide comments within 30 days of AR's submittal of the FS report. AR anticipates submitting the FS to EPA in October 2017
- timely delegate (by 12/31/17) the remedy selection to the State through the RAP process
- provide timely input and coordination such that EPA concurrence with the RAP occurs concurrently"

I'm not sure the FS is actually done yet. But they will be pushing us to get the RAP/ROD process in place. They are most concerned about getting the RAP/ROD in place by September 1, 2018 to meet their self-imposed commitments in their purchase-sale agreement. As far as I know they never consulted us before making that commitment.

Larry

Larry Bradfish
Assistant Regional Counsel
U.S. Environmental Protection Agency
Region 9, ORC-3
75 Hawthorne St.
San Francisco, CA 94105
(415) 972-3934
Email: bradfish.larry@epa.gov

From: Alasti, Isabella@DTSC [mailto:Isabella.Alasti@dtsc.ca.gov]
Sent: Monday, December 04, 2017 12:06 PM
To: Bradfish, Larry <Bradfish.Larry@epa.gov>
Subject: RE: Aerojet -- Settlement agreements with United States

Hi Larry,

I'm in agreement with you re: not sending a letter that has agencies making the request since we aren't. In my mind we are accommodating their request.

As to the old MOU, I think that works fine as a starting point. Thanks,

Isabella

From: Bradfish, Larry [<mailto:Bradfish.Larry@epa.gov>]
Sent: Monday, December 04, 2017 12:03 PM
To: Alasti, Isabella@DTSC <Isabella.Alasti@dtsc.ca.gov>
Subject: RE: Aerojet -- Settlement agreements with United States

Hi Isabella,

There are a couple of things that need attention. One is a draft of a letter that Aerojet is asking the agencies to send them concerning Area 40. It's never been clear to me what they want and why, but I think they want us to tell them that Area 40 can become park land. I am not interested in doing so. I think the best can do is explain the process going forward for Area 40.

I would like to do a fairly short MOU among the agencies spelling out what our roles will be for Area 40 once the FS is completed. We started a draft more than a year ago. I would like to dust that off and have you look at it.

Larry

Larry Bradfish
Assistant Regional Counsel
U.S. Environmental Protection Agency
Region 9, ORC-3
75 Hawthorne St.
San Francisco, CA 94105
(415) 972-3934
Email: bradfish.larry@epa.gov

From: Alasti, Isabella@DTSC [<mailto:Isabella.Alasti@dtsc.ca.gov>]
Sent: Monday, December 04, 2017 11:54 AM
To: Bradfish, Larry <Bradfish.Larry@epa.gov>
Subject: RE: Aerojet -- Settlement agreements with United States

Hi Larry,

I'm so sorry I'm just looking at this now (it's what happens when you are out a lot.....). I'll print these and please let me know if you want me to do something, or am I waiting for a draft from EPA? Thanks and hope you had a great thanksgiving. More holidays to come.....

Isabella

From: Bradfish, Larry [<mailto:Bradfish.Larry@epa.gov>]
Sent: Tuesday, November 28, 2017 9:43 AM
To: Alasti, Isabella@DTSC <Isabella.Alasti@dtsc.ca.gov>
Subject: Aerojet -- Settlement agreements with United States

Isabella,

You asked me about the agreements between Aerojet and the United States concerning who is really paying for this cleanup. I am attaching a couple of the agreements that I either had in my files or found on the internet. The formatting is not great but it should give you an idea of the arrangement between Aerojet and the United States.

Larry

Larry Bradfish
Assistant Regional Counsel
U.S. Environmental Protection Agency
Region 9, ORC-3
75 Hawthorne St.
San Francisco, CA 94105
(415) 972-3934
Email: bradfish.larry@epa.gov